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9 UNITED STATES DISTRICT COURT
10 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

11 CALVIN ROUSE (a.k.a.) ABDUR RASHID
12 KHALIF,

13 Plaintiff,

14 v.

15 WASHINGTON STATE DEPARTMENT OF
CORRECTIONS, *et al.*,

16 Defendants.

Case No. C08-5620FDB

ORDER RE PLAINTIFF'S MOTION
TO ALTER OR AMEND JUDGMENT


17 The Court adopted the Report and Recommendation on April 15, 2009 [Dkt. # 38]. A
18 judgment was improvidently entered on April 16, 2009 but subsequently corrected in a later docket
19 entry on the same day. Thus, one claim regarding the mail policy remains and Eldon Va in his
20 official capacity is the only remaining defendant.

21 On May 1, 2009, Plaintiff filed a "Motion To Alter or Amend Judgment." Plaintiff cites as
22 grounds of religious freedom, access to the Court, and retaliation, and that he has a claim against
23 Defendant Vail. Plaintiff specifically asserts that Defendant Dennis Tabb retaliated and conspired
24 with another officer to prevent Plaintiff's access to the prison law library and to the courts.
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1 Plaintiff may have objected to the entry of judgment on April 16, 2009 as being in error, and
2 if so, his motion is found to be moot. If Plaintiff were objecting to the Court's decision to adopt the
3 Report and Recommendation, the Court is not persuaded to modify its decision by anything in
4 Plaintiff's motion, and the Court's Order adopting the Report and Recommendation stands.

5 ACCORDINGLY, IT IS ORDERED: Plaintiff's Motion To Alter or Amend Judgment [Dkt.
6 # 40] is found to be MOOT as to the improvident entry of judgment, and DENIED in all other
7 respects.

8 DATED this 3rd day of June, 2009.

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11 FRANKLIN D. BURGESS
12 UNITED STATES DISTRICT JUDGE
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